

## REMARKS/ARGUMENTS

### Allowable Subject Matter

In Paragraph 10 of the Office Action, Examiner has indicated that claims 22 and 23 are objected to for being dependent on a rejected base claim, but would be allowable if rewritten in dependent form. Applicant thanks Examiner for indicating the allowability of these claims.

### Claim Objections

In Paragraph 1 of the Office Action, Examiner objects to claims 24 and 27 due to informalities. Applicant has amended claim 24 to provide proper antecedent basis and amended claim 27 to replace the term "varying" with "varying." Applicant respectfully requests that the objection to claims 24 and 27 be withdrawn.

### Claim Amendments

To more particularly present one embodiment of the invention, Applicant has canceled claim 22 and amended claims 1 and 9 to include a screen section above the valve and a screen section below the valve, wherein fluid flows through both the screen section above the valve and the screen section below the valve toward the valve. This amendment is supported by previous claim 22 as well as the Figures. Applicant has also amended claims 14-16 so that the data sensor, data transmitter, and data recorder are connected to the screen section above the valve or the screen section below the valve. This amendment is supported by the Figures.

Applicant has amended claim 17 to include a screen section located above the valve surrounding at least a portion of the length of the base pipe, a screen section located below the valve surrounding at least a portion of the length of the basepipe, and at least one valve effective to provide controllable

communication between a volume between the screen section above the valve, the screen section below the valve, and the base pipe and a volume within the base pipe. This amendment is supported by previous claim 22 as well as the Figures. Additionally, Applicant has amended claims 18 and 24 so that the terminology is consistent with amended claim 17.

#### Claim Rejections Under 35 U.S.C. §102

In Paragraphs 2 and 3 of the Office Action, Examiner rejects claims 1, 6, 7, 9, 10, 14, 15, 17, 19, 21, and 22 under 35 U.S.C. §102(b) as being anticipated by US Patent 6,505,682 to Brockman (hereafter Brockman). With respect to amended claims 1, 17, and 22, Examiner has indicated that the subject matter is allowable. Dependent claims 6, 7, 9, 10, 12, 15, 19, and 21 depend from one of allowable claims 1, 17, or 22 and merely add additional elements thereto. Applicant respectfully requests that the rejection of claims 1, 6, 7, 9, 10, 14, 15, 17, 19, 21, and 22 under 35 U.S.C. §102(b) be withdrawn.

#### Claim Rejections under 35 U.S.C. §103

In Paragraph 5 of the Office Action, Examiner rejects claims 2-5, 11-13 and 24-26 under 35 U.S.C. §103(a) as being unpatentable over Brockman in view of US Patent 6,752,207 to Branos. In Paragraph 6 of the Office Action, Examiner rejects claims 7, 15, 25, and 26 under 35 U.S.C. §103(a) as being unpatentable over Brockman in view of US Patent 6,782,948 to Ehols. In Paragraph 7 of the Office Action, Examiner rejects claims 8 and 16 under 35 U.S.C. §103(a) as being unpatentable over Brockman in view of US Patent 6,752,207 5,896,928 To Coon or US Patent 6,176,312 to Tubel. In Paragraph 8 of the Office Action, Examiner rejects claims 18 and 20 under 35 U.S.C. §103(a) as being unpatentable over Brockman in view of US Patent 6,112,817 to Voll. In

Paragraph 9 of the Office Action, Examiner rejects claim 27 under 35 U.S.C. §103(a) as being unpatentable over Brockman in view of US Patent 6,679,332 to Vinegar. Claims 2-8, 10-16, 18-21 and 23-27 all depend from one of allowable amended claims 1, 9, or 17. The Examiner has indicated that this subject matter is allowable; therefore, Applicant respectfully requests that the rejection of claims 2-8, 10-16, 18-21 and 23-27 under 35 U.S.C. §103(a) be withdrawn and the claims formally allowed at this time.

### Conclusion

Applicant has addressed each and every objection and ground for rejection. The amended claims are patentable over the cited art and Applicant requests that the application be allowed. In the event the Examiner has any questions or there are any issues with respect to the application, the Examiner is invited to call the undersigned at the telephone number below prior to the issuance of any written action.

Respectfully submitted,

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